

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 2130 - HB 2232**

March 30, 2009

**SUMMARY OF BILL:** Deletes the organizations authorized to make nominations for members of the Judicial Selection Commission. Decreases from 17 to four the membership of the Commission. Requires one member to be appointed by the Senate Republican Party Caucus to serve a term of six years and one member to be appointed by the Senate Democratic Party Caucus to serve a term of four years. Requires one member to be appointed by the House of Representatives Republican Party Caucus to serve a term of two years and one member to be appointed by the House of Representatives Democratic Party Caucus to serve a term of six years. For purposes of the two-year limitation, any member who has served a portion of a six-year term shall be considered to have served a term. If a vacancy on the Commission occurs when the General Assembly is not in session, the Speakers of the Senate and the House of Representatives shall fill the vacancy. The person selected to serve shall do so until the next session of the General Assembly. Requires judicial applicants to submit to work and credit history checks and to submit to a criminal records background check.

Requires all meetings and records of the Commission to be open to the public. The Executive Director of the Administrative Office of the Courts, the Attorney General and Reporter, and the Chairman of the Judicial Council are ineligible for nomination by the Commission while in office and for two years immediately following departure from office. Requires a judge of the Court of Appeals and of the Court of Criminal Appeals to be licensed to practice law in Tennessee, to reside within the grand division from which the judge was appointed or elected, and to be elected by the qualified voters of the respective grand divisions rather than at-large. Extends the sunset provision for the Judicial Selection and Evaluation Commissions to June 30, 2011.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Expenditures - \$19,300**

**A more precise cost estimate is not possible because the Administrative Office of the Courts has not provided any information to assist in the preparation of this fiscal note.**

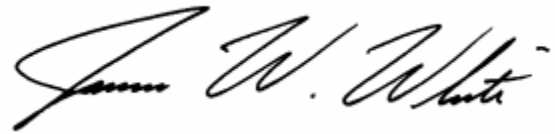
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Assumptions:

- Based on the total expenditures of the Commission since FY05-06, the average expense per member is \$1,482. The decrease in state expenditures with 13 less members is estimated to be \$19,266 (\$1,482 x 13).
- Meetings that are currently private will be made open to the public. Requiring public notice of such meetings will result in a not significant increase in state expenditures.
- This bill continues existing commissions at the current funding level.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc